

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

**THE BANK OF NEW YORK MELLON
f/k/a THE BANK OF NEW YORK, AS
TRUSTEE FOR FIRST HORIZON
ALTERNATIVE MORTGAGE
SECURITIES TRUST 2004-AA5,**

Plaintiff

v.

CASE No. 1:17-cv-00031-S-PAS

**CHRISTOPHER PEMENTAL,
BARRINGTON HISTORICAL
SOCIETY, LLC and all other unknown
successors, assigns or distributees of
BARRINGTON HISTORICAL
SOCIETY, LLC,**

Defendants

_____ /

**AFFIDAVIT OF Christy Vieau IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

I, Christy Vieau, of Nationstar Mortgage LLC,

having personal knowledge of the facts contained in this affidavit, on oath, state as follows:

1. I am employed by and serve in the capacity of Document Execution Associate
at Nationstar Mortgage LLC (Nationstar).

2. In my capacity as Document Execution Associate, I have knowledge of the business records of Nationstar as they relate to the Mortgage which is the subject of this Affidavit. Nationstar's records are kept in the ordinary course of business by persons who have a business duty to make such records. The records are made at or near the occurrence of events so recorded. To the extent records related to the subject mortgage loan come from another entity, those records were received by Nationstar in the ordinary course of its business, have been incorporated into and maintained as part of Nationstar's business records, and have been relied on

by Nationstar. I have personal knowledge of the facts set forth in this Affidavit based upon my review of Nationstar's business records maintained in connection with the Mortgage and the related Mortgage loan account whose repayment the Mortgage secures.

3. Nationstar is the current loan servicer for The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for First Horizon Alternative Mortgage Securities Trust 2004-AA5 (BNY Mellon), the holder by assignment of that certain mortgage dated September 7, 2004, given by Defendant, Christopher Pemental, to Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for First Horizon Home Loan Corporation, in the original principal amount of \$350,000.00 and recorded with the LER on September 8, 2004 in Book 869, Page 84 (the "Mortgage"). A certified copy of the Mortgage is attached to the Complaint as Exhibit 2.

4. In the course of reviewing and executing this affidavit, I have consulted Nationstar's system of record and the documents uploaded to such system in connection with the foreclosure action referenced in the Complaint.

5. Defendant Pemental has defaulted in the monthly payment obligations due under the Note and the Mortgage and his mortgage account with Nationstar, as servicer of the Loan for BNY Mellon, is now due for the January 1, 2014, payment together with all subsequently accrued but unpaid installments.

6. Pursuant to the terms of the Mortgage, Nationstar, as servicer of the Loan for BNY Mellon, sent Pemental Notices of Default on September 15, 2014, at both the Property address and at 19 Stanley Avenue, Barrington, RI 02806 via certified mail. True and accurate copies of said Notices are attached to the Complaint as Exhibit 6.

7. The default set forth in the September 15, 2014, Notice of Default has not been cured.

Signed this 11 day of April, 2018.

Nationstar Mortgage LLC

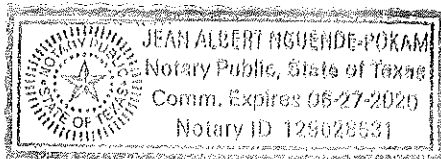
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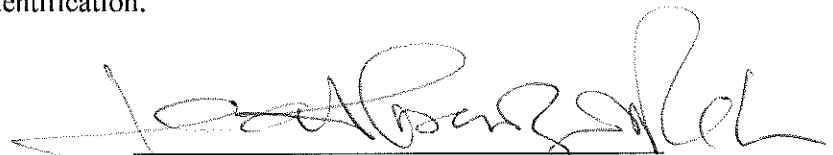
By: Christy Vieau

Title: Document Execution Associate

STATE OF TEXAS)
)
COUNTY OF DENTON)

The foregoing instrument was acknowledged and sworn before me this 11 day of April, 2018, by Christy Vieau as a Document Execution Associate of Nationstar Mortgage LLC, who is personally known to me or who has produced (personally known) as identification.




Notary Public

My Commission Expires: 06/27/2020

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2018, I caused this document to be filed through the electronic filing system with electronic service completed on all parties registered therein to receive notice in this case.

The document electronically filed and served is available for viewing and/or downloading from the United State District Court for the District of Rhode Island's Electronic Case Filing System.

/s/ Walter H. Porr, Jr., Esq.
Walter H. Porr, Jr., Esq.,